MACOMB TOWNSHIP BOARD OF TRUSTEES MEETING MINUTES AND PUBLIC HEARING WEDNESDAY, NOVEMBER 8, 2006

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS

54111 BROUGHTON ROAD

MACOMB, MI 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR

MICHAEL D. KOEHS, CLERK DINO F. BUCCI, JR, TRUSTEE JANET DUNN, TRUSTEE

ROGER KRZEMINSKI, TRUSTEE NANCY NEVERS, TRUSTEE

ABSENT: MARIE MALBURG, TREASURER

ALSO PRESENT: Lawrence Dloski, Legal Counsel

Jerome Schmeiser, Planning Consultant James VanTiflin, Engineering Consultant

(Additional attendance on file at the Clerk's Office)

Supervisor BRENNAN called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

ROLL CALL

1. Clerk KOEHS called the roll and the Board of Trustees was present except for Treasurer Marie Malburg.

MOTION by KRZEMINSKI seconded by BUCCI to refrain from calling the name of Marie Malburg for any roll call vote this evening.

MOTION carried.

APPROVAL OF THE AGENDA

2. The agenda was reviewed and items 12a, 14a and 28 were added.

MOTION by DUNN seconded by NEVERS to approve the agenda as amended.

MOTION carried.

3. Both bill runs were reviewed and there were no additions, deletions or corrections.

MOTION by NEVERS seconded by KRZEMINSKI to approve both bill runs as presented.

MOTION carried.

APPROVAL OF THE PREVIOUS MEETING MINUTES

4. The minutes of the previous meeting held on October 25, 2006 were reviewed and any additions, corrections or deletions were discussed and made.

MOTION by BUCCI seconded by DUNN to approve the minutes of the meeting of October 25, 2006 as presented.

MOTION carried.

5. Consent Agenda Items:

- A. Clerk's Department:
 - 1. Request for Bond Release; Wall Sign, Super Suppers, SE corner of 22 Mile Road and Romeo Plank Road, Section 28.
 - 2. Request for Bond Release; Wall Sign, Grab an Apron, NE corner of 21 Mile Road and Hayes Road, Section 30.
 - 3. Request for Bond Release; Wall Sign, Raedene's Dancing Stars Studio, 21972 23 Mile Road.
- B. Department Monthly Reports:
 - 1. Macomb County Sheriffs Department
 - 2. Parks and Recreation Department
 - 3. Water & Sewer Department
- C. Water/Sewer Dept.
 - 1. Easement Encroachment Agreement: Tyler G. & Michelle D. Cholger, 19896 Edinberg Drive, Macomb, 48044, Lot 17, Chelsea Park Subdivision. Parcel No. 08-28-204-004.
- D. Human Resources Dept.
 - 1. Request for Leave of Absence, Parks and Recreation Employee.

MOTION by DUNN seconded by NEVERS to approve the Consent Agenda as presented.

MOTION carried.

6. **Public Comments -** (3 minute time limit) – None

PLANNING

7. Request to Approve a Tentative Preliminary Plat; River Pointe Subdivision, (33 Lots); Located on the north side of 25 Mile Road approximately 1,500 feet east of Hayes Road; Section 6, Permanent Parcel Number 08-06-300-036.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated that this subdivision will tie into all existing stub streets in the surrounding subdivisions and further stated his recommendation of approval.

MOTION by DUNN seconded by BUCCI to Approve a Tentative Preliminary Plat for River Pointe Subdivision, (33 Lots); Located on the north side of 25 Mile Road approximately 1,500 feet east of Hayes Road; Section 6, Permanent Parcel Number 08-06-300-036.

MOTION carried.

8. Request to Approve Final Plat; Margherita Estates Subdivision; Located on the west side of Card Road approximately ¼ mile north of 22 Mile Road; Rocco Galati, Petitioner; Section 22, Permanent Parcel number 08-22-400-014.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated that this subdivision is ready to receive its final plat approval and further stated his recommendation of approval.

MOTION by KRZEMINSKI seconded by DUNN to approve the Final Plat for Margherita Estates Subdivision; Section 22, Permanent Parcel number 08-22-400-014, and direct the Clerk to sign the Mylar.

MOTION carried.

9. Request for Parcel Rezoning; Residential, One Family Urban (R-1) to Office Low Rise (O-1); Located on the northwest corner of 25 Mile Road and Romeo Plank Road; Section 6, Permanent Parcel Number 08-06-476-003.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of denial.

Mr. Patrick Meagher, representing the petitioner, was also present to answer any questions which the commission might have. He also stipulated that he would agree to remove the home on this parcel within one year if the Board were to approve the rezoning requests

MOTION by DUNN to deny the rezoning.

MOTION failed due to lack of a second.

MOTION by BUCCI seconded by KRZEMINSKI to table this matter indefinitely.

MOTION carried.

10. Request for Parcel Rezoning; Residential, One Family Urban (R-1) to Office Low Rise (O-1); Located on the northwest corner of 25 Mile Road and Romeo Plank Road; Section 6, Permanent Parcel Number 08-06-476-004.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of denial.

Mr. Patrick Meagher, representing the petitioner, was also present to answer any questions which the commission might have. He also stipulated that he would agree to remove the home on this parcel within one year if the Board were to approve the rezoning requests

MOTION by BUCCI seconded by KRZEMINSKI to table this matter indefinitely.

MOTION carried.

11. Request for Parcel Rezoning; Residential, One Family Urban (R-1) to Office Low Rise (O-1); Located on the northwest corner of 25 Mile Road and Romeo Plank Road; Section 6, Permanent Parcel Number 08-06-476-012.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of denial.

Mr. Patrick Meagher, representing the petitioner, was also present to answer any questions which the commission might have. He also stipulated that he would agree to remove the home on this parcel within one year if the Board were to approve the rezoning requests

MOTION by BUCCI seconded by KRZEMINSKI to table this matter indefinitely.

MOTION carried.

OLD BUSINESS

12. Review and Approval of Single Waste Hauler 'Request for Proposal' Documents

Supervisor Brennan and Attorney Lawrence Dloski reviewed this matter and indicated that the documents were ready and that the bid process should be initiated.

MOTION by KRZEMINSKI seconded by DUNN to approve the documents as presented and to initiate the single waste hauler bid process.

MOTION carried.

12a. **Industrial Facilities Tax Abatement**; Nachi Machining Technologies, 17500 23 Mile Road, Petitioner.

Township Attorney Lawrence Dloski reviewed this matter and explained what the petitioner qualified for under the formula used by Macomb Township. This would

produce a five year abatement based on ten million seven hundred twenty thousand dollars, (\$10.720,000.00), in qualifying investments.

MOTION by KRZEMINSKI seconded by DUNN to adopt the resolution granting the Industrial Facilities Tax Abatement for Nachi Machining Technologies for a period of five years.

AYES: KRZEMINSKI, DUNN, BUCCI, NEVERS, KOEHS and BRENNAN

NAYS: None

ABSENT: MALBURG

MOTION carried, resolution declared adopted.

NEW BUSINESS

13. Request to Pay 2007 Dues for SEMCOG

Supervisor BRENNAN reviewed this matter and there was discussion regarding the practicality of continuing this membership. Mr. Jerome Schmeiser, Planning Consultant, advised the Board that we seldom use the services offered by SEMCOG.

MOTION by NEVERS seconded by KRZEMINSKI to discontinue membership in SEMCOG and to not pay the 2007 dues.

MOTION carried.

14. Request to Schedule a Public Hearing for Creating an Industrial Development District & Speculative Building; Quadrate Corporate Park Condominiums.

MOTION by BUCCI seconded by DUNN to Schedule a Public Hearing for an Creating an Industrial Development District & Speculative Building; Quadrate Corporate Park Condominiums for 7:00 p.m. on December 13, 2006.

MOTION carried.

14a. Training Request – Building Department.

Supervisor Brennan reviewed this matter to send the Electrical Inspector to an educational seminar in Gaylord and recommended approval. The totals cost would be three hundred eleven dollars and ninety six cents (\$311.96).

MOTION by KOEHS seconded by NEVERS to approve the training request for the electrical inspector.

MOTION carried.

FIRE DEPARTMENT

15. Request to Purchase Equipment for New Fire Engines

Chief Robert Phillips reviewed this item and explained the need for the purchase of this fire engine equipment and stated his recommendation for approval.

MOTION by DUNN seconded by NEVERS to approve the purchase of the equipment for the new fire engines from Apollo Fire Equipment in the amount of twenty six thousand five hundred thirteen dollars, (\$26,513.00).

MOTION carried.

16. Request to Purchase SCBA and SCBA Bottles for New Engines

Chief Robert Phillips reviewed this item and explained the need for the purchase of this Self Contained Breathing Apparatus and the air bottles, and stated his recommendation for approval.

MOTION by BUCCI seconded by KRZEMINSKI to approve the purchase of the SCBA equipment and bottles from Apollo Fire Equipment for the amount of forty one thousand six hundred dollars, (\$41,600.00).

MOTION carried.

17. Request to Purchase Twelve (12) Replacement SCBA Bottles

Chief Robert Phillips reviewed this item and explained the need for the purchase of these replacement air bottles and stated his recommendation for approval.

MOTION by DUNN seconded by NEVERS to approve the purchase of the replacement SCBA bottles from Apollo Fire Equipment for a cost of nine thousand six hundred dollars, (\$9,600.00).

MOTION carried.

18. Request to Purchase Fire Hose for the New Engines

Chief Robert Phillips reviewed this item and explained the need for the purchase of the new fire hose and stated his recommendation for approval.

MOTION by KRZEMINSKI seconded by NEVERS to approve the purchase of the new fire hose from Apollo Fire Equipment for twenty three thousand one hundred eighty four dollars, (\$23,184.00).

MOTION carried.

19. Request to Promote 2 Paid on Call Sergeants

Chief Robert Phillips reviewed this item and explained the qualifications of the proposed candidates and stated his recommendation for approval of their promotion.

MOTION by KOEHS seconded by DUNN to promote Paid on Call Fire Fighters Richard Maierle and Raymond Yonkowski to the rank of Paid On Call Sergeant.

MOTION carried.

WATER AND SEWER DEPARTMENT

20. Purchase Order – Asphalt Unlimited

David Koss, Water and Sewer Superintendent, reviewed this matter of street repairs and stated his recommendation for approval. He also stated that if all of the repairs were awarded to Asphalt Unlimited, they would reduce the total bill from fourteen thousand two hundred seventy five dollars to thirteen thousand two hundred seventy five dollars.

MOTION by KRZEMINSKI seconded by BUCCI to approve the purchase requisition for Asphalt Unlimited, Inc. for all of the repairs, for a final cost to the Township of thirteen thousand two hundred and seventy five dollars, (13,275.00).

MOTION carried.

PARKS AND RECREATION

21. Request for Holiday Lighting Decorations

Salvatore DiCaro, Parks and Recreation Director, reviewed this item and stated his recommendation for approval.

MOTION by DUNN seconded by NEVERS to approve the request for Holiday Lighting decorations and award the project to Dubay Landscaping for two thousand nine hundred eighty five dollars, (\$2,985.00).

MOTION carried.

BOARD COMMENTS

22. Supervisor Comments: None

23. Clerk Comments:

Clerk KOEHS reviewed the proposed pay raises for the current election workers and explained how the reduction in training would more than off set the proposed raises, and asked that the raises, if granted, be awarded for the election held yesterday on November 7, 2006. The proposed rates are: **Precinct Location Coordinator** – 235.00; **AVCB Chairperson** – 235.00; **AV Co-Chair** – 180.00; **Precinct Chair** – 190.00; **Precinct Co-Chair** – 150.00; **Election Worker** – 135.00.

MOTION by DUNN seconded by NEVERS to approve the proposed pay raises for elections workers effective November 7, 2006.

MOTION carried.

24. Treasurer Comments: None

25. Trustees Comments: None

EXECUTIVE SESSION

MOTION by BUCCI seconded by KRZEMINSKI to adjourn to Executive Session at 7:48 p.m.

MOTION carried.

Returned from Executive Session at 8:13 p.m.

26. **Easement Acquisition**, Romeo Plank Water Main Project & Pump Station #7 Replacement.

MOTION by KOEHS seconded by BUCCI to approve the easement acquisitions for MA06-010 and MA05-026 on parcel 08-20-200-046 for a total area of 3,909 square feet at a total cost of nine thousand three hundred sixty four dollars (\$9,364.00).

MOTION carried.

27. Grand Rental Properties, LLC v Macomb Township

MOTION by KOEHS seconded by DUNN to authorize the entry of the Consent Judgment and have it returned to this Board on November 27, 2006 for review and approval.

MOTION carried.

28. Caradonna vs. Macomb Township

MOTION by KOEHS seconded by DUNN to authorize the Supervisor and Legal Counsel to sign the proposed consent judgment.

ADJOURNMENT

MOTION by DUNN seconded by NEVERS to adjourn the Board meeting at 8:17 p.m.

MOTION carried.

Respectfully submitted,

John D. Brennan Macomb Township Supervisor

Michael D. Koehs, CMC Macomb Township Clerk